

Emergencies Act

R.S.C., 1985, c. 22 (4th Supp.)

National emergency

3 For the purposes of this Act, a ***national emergency*** is an urgent and critical situation of a temporary nature that

(a) seriously endangers the lives, health or safety of Canadians and is of such proportions or nature as to exceed the capacity or authority of a province to deal with it, or

(b) seriously threatens the ability of the Government of Canada to preserve the sovereignty, security and territorial integrity of Canada

and that cannot be effectively dealt with under any other law of Canada.

PART II

Public Order Emergency

Interpretation

Definitions

16 In this Part,

declaration of a public order emergency means a proclamation issued pursuant to subsection 17(1); (*déclaration d'état d'urgence*)

public order emergency means an emergency that arises from threats to the security of Canada and that is so serious as to be a national emergency; (*état d'urgence*)

threats to the security of Canada has the meaning assigned by section 2 of the [Canadian Security Intelligence Service Act](#). (*menaces envers la sécurité du Canada*)

Declaration of a Public Order Emergency

Declaration of a public order emergency

17 (1) When the Governor in Council believes, on reasonable grounds, that a public order emergency exists and necessitates the taking of special temporary measures for dealing with the emergency, the Governor in Council, after such consultation as is required by section 25, may, by proclamation, so declare.

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(2) A declaration of a public order emergency shall specify

- (a)** concisely the state of affairs constituting the emergency;
- (b)** the special temporary measures that the Governor in Council anticipates may be necessary for dealing with the emergency; and
- (c)** if the effects of the emergency do not extend to the whole of Canada, the area of Canada to which the effects of the emergency extend.

Canadian Security Intelligence Service Act

R.S.C., 1985, c. C-23

threats to the security of Canada means

- (a) espionage or sabotage that is against Canada or is detrimental to the interests of Canada or activities directed toward or in support of such espionage or sabotage,
- (b) foreign influenced activities within or relating to Canada that are detrimental to the interests of Canada and are clandestine or deceptive or involve a threat to any person,
- (c) activities within or relating to Canada directed toward or in support of the threat or use of acts of serious violence against persons or property for the purpose of achieving a political, religious or ideological objective within Canada or a foreign state, and
- (d) activities directed toward undermining by covert unlawful acts, or directed toward or intended ultimately to lead to the destruction or overthrow by violence of, the constitutionally established system of government in Canada,

but does not include lawful advocacy, protest or dissent, unless carried on in conjunction with any of the activities referred to in paragraphs (a) to (d). (*menaces envers la sécurité du Canada*)